

RCE *[Signature]*

PTO/SB/30 (08-00)

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# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,  
provides for continued examination of an utility or plant application  
filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/745,095
Filing Date	December 20, 2000
First Named Inventor	Leah E. Appel, et al
Group Art Unit	1616
Examiner Name	Gollamudi
Attorney Docket Number	PC10818A JTJ

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

## 1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☒ Other Petition For Extension of Time

## 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other \_\_\_\_\_

## 3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 16-1445
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e) 04/26/2005 SFELEKE1 00000031 161445 09745095
- ii. ☒ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17) 01 FC:1801 790.00 DR
- iii. ☐ Other \_\_\_\_\_
- b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

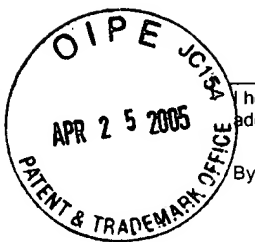
Name (Print /Type)	James T. Jones	Registration No. (Attorney/Agent)	30,561
Signature	<i>[Signature]</i>	Date	4/22/05

## CERTIFICATE OF MAILING OR TRANSMISSION

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PC10818A

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(Signature of person mailing) /

Patricia Litchfield

(Typed or printed name of person)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Leah E. Appel, et al. :

Examiner: S. Gollamudi

APPLICATION NO.: 09/745,095 :

FILING DATE: December 20, 2000 : Group Art Unit: 1616

TITLE: Hydrogel-Driven Drug Dosage Form :

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

AMENDMENT AND REQUEST FOR RECONSIDERATION

A Notice Of Appeal was filed in this application on November 24, 2004. Applicants' opening brief was accordingly due, without extension, by January 24, 2005. In lieu of filing an opening brief, Applicants are filing a Request for Continued Examination (RCE) together with this Amendment. A Petition for a three (3) month extension of time is also being filed, thereby extending the term for response in this application to April 24, 2005.

This amendment is thus responsive to the Office Action dated July 26, 2004. Reconsideration of the rejections therein is respectfully requested in light of the amendments and comments that follow.

A copy of the claims status is presented as the following item, starting on the next sheet.